

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-094890

01/29/2003

HONORABLE BRIAN K. ISHIKAWA

CLERK OF THE COURT  
M. LeSueur  
Deputy

IN RE THE MARRIAGE OF  
VANESSA ANN NICHOLS

FILED: 02/05/2003

JOHN E HERRICK

AND

BRYON NEVELE NICHOLS

HARRY P FRIEDLANDER

ALTERNATIVE DISPUTE  
RESOLUTION - CCC

MINUTE ENTRY

Prior to commencement of proceedings, Respondent's Exhibits 1 through 54 and Respondent's Exhibits 55 through 62 are marked for identification.

8:42 a.m. This is the time set for **Oral Argument re: Motion to Enforce**. Petitioner is present and represented by above-named counsel. Respondent is not present, but represented by above-named counsel.

A recording of this proceeding is made by CD (FTR) in lieu of a court reporter.

Counsel for Respondent waives Respondent's presence for this hearing.

Discussion is held regarding the status of the case.

The Court indicates it is inclined to set this matter for trial.

**IT IS ORDERED** denying the Motion to Enforce Settlement and resetting for trial.

**IT IS FURTHER ORDERED** setting this matter for **Trial** on **May 14, 2003 at 1:30 p.m.** in this Division, 222 East Javelina Drive, **Courtroom 403**, Mesa, Arizona 85210. **(Time allotted: 3 hours; presumptive time allocation: 80 minutes per side).**

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**ISSUES: Custody, parenting time, child support, spousal maintenance, division of property, allocation of debts, and attorney's fees and costs.**

**IT IS FURTHER ORDERED** that the parties and, if represented, counsel shall exchange and provide to the Court a final list of witnesses and exhibits and exhibit coversheet, along with an attached Affidavit of Financial Information, Child Support Worksheet, Inventory of Disputed Property, and supplementation of discovery responses by no later than **April 4, 2003**. Any exhibits or witnesses disclosed after said date shall be excluded.

**IT IS FURTHER ORDERED** all discovery shall be completed by **May 2, 2003**.

**IT IS FURTHER ORDERED** any evidence intended to be submitted as exhibits at the time of Trial must be brought to this Division, Courtroom 403, by no later than **4:00 p.m., May 9, 2003**, along with an attached cover sheet listing the description of the exhibits. Any exhibits not submitted by **4:00 p.m., May 9, 2003** will not be accepted.

**NOTE: A REQUEST/MOTION FOR CONTINUANCE FILED BY EITHER COUNSEL/PARTY DOES NOT SUSPEND THE REQUIREMENT THAT THE EXHIBITS BE SUBMITTED BY THE DEADLINE SET BY THE COURT.**

**NOTE: ALL EXHIBITS MUST BE HAND-DELIVERED TO THIS DIVISION'S JUDICIAL STAFF AT (602) 506-5225/5121 BETWEEN THE HOURS OF 8:30 A.M. TO 12:00 P.M. AND 1:30 P.M. TO 4:00 P.M. ANY EXHIBITS DROPPED OFF IN JUDGE ISHIKAWA'S MAILBOX OR COURT ADMINISTRATION WITHOUT PRIOR ARRANGEMENTS WITH THIS DIVISION WILL BE REJECTED.**

**PURSUANT TO RULE 5.1(C) OF THE ARIZONA RULES OF CIVIL PROCEDURE,**

**IT IS ORDERED THAT COUNSEL, OR ANY PARTY IF UNREPRESENTED BY COUNSEL, SHALL GIVE THIS COURT PROMPT NOTICE OF THE SETTLEMENT OF THE CASE OR MATTER SET FOR TRIAL, HEARING OR ARGUMENT BEFORE THE TRIAL, HEARING, ARGUMENT OR MATTER AWAITING COURT RULING. IN THE EVENT OF ANY UNREASONABLE DELAY IN THE GIVING OF SUCH NOTICE, THE COURT MAY IMPOSE SANCTIONS AGAINST COUNSEL OR THE PARTIES TO INSURE FUTURE COMPLIANCE WITH THIS RULE.**

**NOTE: ALL COURT PROCEEDINGS ARE RECORDED BY AUDIO METHOD AND NOT BY A COURT REPORTER. ANY PARTY MAY REQUEST THE PRESENCE OF A COURT REPORTER BY CONTACTING THIS DIVISION THREE (3) COURT BUSINESS DAYS BEFORE THE SCHEDULED HEARING.**

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**IT IS ORDERED** affirming the **settlement conference** set for **April 1, 2003 at 9:00 a.m.** before Commissioner Raymond Lee. Counsel and/or the Parties should not contact ADR directly. Counsel and/or the Parties will receive a minute entry from ADR setting forth the necessary settlement conference information.

**IT IS FURTHER ORDERED** denying Respondent's Motion to Enforcement Settlement moot.

**IT IS FURTHER ORDERED** that the Clerk permanently release all exhibits that were marked for identification but not offered into evidence to the counsel/party causing them to be marked, or to their written designee.

FILED: Exhibit Worksheet

8:54 a.m. Matter concludes.